

# **PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD**

**MONDAY, NOVEMBER 5, 2007**

**3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II**

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Spraul-Schmidt, Young, Fisher, Wallace, Raser, Senhauser and Kreider present. Chatterjee absent.

## **MINUTES**

The Board unanimously approved the minutes of Monday, August 20, 2007 (motion by Young, second by Fisher) and October 22, 2007 meeting (motion by Young, second by Fisher).

[Ms. Spraul-Schmidt joined the meeting.]

## **CERTIFICATE OF APPROPRIATENESS, 1232 VINE STREET. OVER-THE-RHINE HISTORIC DISTRICT**

Staff member Adrienne Cowden summarized the staff report for the rehabilitation of 1232 Vine into three commercial retail spaces on the first floor and nine residential condos in the upper floor. A new elevator tower incorporating individual unit decks will be built on the south elevation.

Ms. Cowden reminded the Historic Conservation Board (Board) that it heard this project on August 20, 2007 as a Preliminary Design Review. At that time, the Board suggested changes in materials and orientation of the elevator tower as well as modifications to the dormers and decks on the north elevation. Ms. Cowden reported that in response to the Board's suggestions, the applicant has changed the elevator tower material to Reading Rock concrete block and moved its entry to the west side, toward Vine Street. In answer to Mr. Kreider, developer Bill Baum said he had not personally used this product, but had seen it on Kroger and Walgreens stores in the area. Project architect Mark Gunther showed the Board a sample of Reading Rock; he said he would select the color to match the building's historic brick.

Ms. Cowden pointed out that sills and lintels have been added to all of the new window and door openings on the south elevation; these openings have also been reduced in size to more closely to match the existing. One large window cut remains, but reducing it would require modification to the interior layout. Mr. Gunther confirmed for Mr. Senhauser that the windows on the south elevation would be a mixture of wood and metal units. Mr. Gunther acknowledged that the deck railings were unchanged from the preliminary design.

The public parking lot to the south has been subdivided and a portion encompassing the new elevator tower and decks has been deeded to 1232 Vine. A 15'-0" wide easement on either side of the elevator tower has also been negotiated. Ms. Cowden said that if the public parking lot were to be incorporated into the rehabilitation project, a covenant tying it to 1232 Vine would be required under the conservation guidelines. She confirmed for Ms. Spraul-Schmidt that although the parking lot was not part of this application, any work on that site including fencing or landscaping would be subject to review if new work were proposed in the future.

Ms. Cowden suggested that the cornice windows on 13<sup>th</sup> Street be darkened so pedestrians would not view the sky. Mr. Gunther responded that the windows in question open into the upper portion of units below, so would not be open to the decks or sky. The windows in the north side dormer have been modified to better relate to the fenestration in the existing building.

[Mr. Krieder swore in those wishing to testify at this meeting.]

Julie Fay representing the Over-the-Rhine Community Council spoke in favor of the project.

[Mr. Raser joined the meeting.]

### **BOARD ACTION**

The Board voted unanimously (motion by Spraul-Schmidt, second by Kreider, Raser abstaining) to approve a Certificate of Appropriateness for the proposed rehabilitation with the following conditions:

1. The cornice windows at the new recessed roof deck be painted out or backfilled behind the sash.
2. Any work untaken on the adjacent property located at 1228 and 1230 Vine Street shall come back for review and approval.
3. If condominium units at 1232 Vine Street are assigned, sold or otherwise granted rights to parking spaces in 1228-1230 Vine Street, The owner(s) shall file a restrictive covenant binding the use of the lot to the owner(s) and their successors and assigns as required under the Over-the-Rhine Historic District conservation guidelines.
4. Final plans and specifications shall be submitted to the Urban Conservator for review and approval prior to construction.

### **NATIONAL REGISTER NOMINATION, GERMAN EVANGELICAL PROTESTANT CEMETERY CHAPEL, 3701 CLIFTON AVENUE, CLIFTON**

Ms. Cowden presented a report on a National Register nomination for this site prepared by David Hess and scheduled for presentation to the Ohio Historic Preservation Sites Advisory Board on November 30, 2007.

Ms. Cowden indicated that the National Register nomination clearly demonstrated that the chapel was eligible for listing based under Criterion C, architecture. She explained that since the building did have some religious association, it would also have to meet Criteria Consideration A and that this needed to be more specifically addressed in the nomination. She also suggested that the nomination could be strengthened by a brief discussion of just how the chapel fits within the Brink's genre and the Richardsonian Romanesque style.

Teresa Marshall, General Manager of the cemetery stated that the Mr. Hess had prepared the nomination with the assistance of students from the University of Cincinnati and that they were seeking the information Ms. Cowden had suggested.

Ms. Spraul-Schmidt suggested that the property at 2972 Werk Road referenced in the nomination as by the Brinks be more specifically identified as the James M. Gamble House (if that was the case). She also suggested that the bibliographic reference to the *Queen City Heritage* should include the title of the article cited and that the author might want to look at an article on landscapes that appeared in a 1993 edition of that journal. Ms. Fisher observed that the nomination stated that the qualities of this chapel compare favorably with others of the period, but did not specify those qualities

**BOARD ACTION:** The Board voted unanimously (motion by Spraul-Schmidt, second by Fisher) to take the following actions:

1. Find that the German Evangelical Protestant Cemetery Chapel located at 3701 Vine Street in Clifton meets Criterion C and Criteria Consideration A for listing in the National Register of Historic Places.
2. Recommend that the nomination be revised to state specifically the German Evangelical Protestant Cemetery Chapel's eligibility under Criteria Consideration A.
3. Encourage the author to make the following revisions or additions to the Registration Form:

- a. Undertake additional research and/or documentation regarding George and August Brink as described in the staff report to strengthen the nomination.
  - b. The nomination states that the German Evangelical Protestant Cemetery Chapel "shares qualities of stone construction, stone detailing and stained glass windows" with chapels in the Spring Grove and Walnut Hills cemeteries (Section 8, Page 4). The nomination should be revised to include a few sentences that more specifically describe these shared qualities.
  - c. The *Queen City Heritage* citation in the bibliography should include the title of the article (Section 9, Page 5).
  - d. Review the 1993 volume of the *Queen City Heritage* for an article on suburban landscapes, which may provide relevant information.
4. Direct staff to forward the Board's findings regarding this nomination to the Ohio Historic Preservation Office prior to the November 30, 2007 meeting of the Ohio Historic Sites Preservation Advisory Board.

[Mr. Kreider left the meeting.]

#### **PRELIMINARY DESIGN REVIEW, 2342 UPLAND AVENUE, UPLANDS HISTORIC DISTRICT**

Staff member Caroline Kellam presented a staff report on a proposal to rehabilitate and construct an addition to 2342 Upland Avenue, a contributing building in the Uplands Historic District. Built as a single-family residence, the house had since been subdivided into eight units; the project will reduce that to three residential units. Ms. Kellam said the applicant had recently met with neighbors to review the plans and staff has received five e-mails favoring the project.

The new addition will be stucco (as the existing) on a brick base with a slate roof and clad wood windows. The applicant sought to match the form, materials and details of the existing house. Although the new addition will match the street setbacks and height of the existing, it will likely require zoning variances for its height and front and rear yard setbacks. She explained that the applicants were particularly anxious to hear the Board's review to the zoning variance before proceeding with the development of architectural drawings.

The property owners, Thea Langsam and Eric Norris, were present to present the initial design. Mr. Norris explained that the design was very preliminary and that efforts had focused on developing the street elevations. He explained that the footprint and dimensions were developed to be within the allowable building envelope based on an initial review by the Department of Buildings & Inspections (B&I). He was perplexed to learn that B&I had reversed its earlier interpretation that no zoning variances would be required.

Mr. Senhauser questioned the use of brick on the entry linking the existing house to the body of the new addition. He suggested that the brick gave the link too much visual weight and should be limited to the base, if at all. Mr. Norris responded that he had considered glazing the link, but that the guidelines discouraged such a treatment. Mr. Senhauser said that the intersection of the new and old through the solarium on the south elevation was awkward and that the polygonal bay of the main house should read independently, as a whole.

Mr. Raser stated that the design of the new addition would be stronger if it did not so literally mirror the existing house in form and detail. He said that the high brick foundation did not work well on the south elevation where it was broken only by uncharacteristic basement windows. Mr. Raser

added that the drawings needed to better note materials and more graphically distinguish between new and existing forms.

Ms. Spraul-Schmidt said that the south elevation in particular seemed over-scaled. There was general agreement that the elevations need to be broken down and elements such as the long, continuous cornice need reconsideration. Ms. Senhauser suggested that this might in some instances be accomplished with color, rustication or a change in materials. He added that the entry stairs facing Fleming Street should not overpower the original Upland Avenue entry.

Mr. Norris said they hoped to construct the addition initially and live in it while working on the original house. He said that the house had suffered from extensive remodeling through its life and that there were still structural issues to resolve. He emphasized that the present plans were very preliminary and that he was most concerned at this point to the Board's reaction to the zoning variances. Mr. Senhauser answered that the Board's first concern is for the compatibility of the new design to the original house and within the neighborhood and that a compelling design would justify the needed variances.

### **BOARD ACTION**

No official Board action was required at this time.

### **CERTIFICATE OF APPROPRIATENESS, HILLSIDE REVIEW & ZONING VARIANCES, 3742 SACHEM AVENUE, COLUMBIA TUSCULUM HISTORIC DISTRICT**

[Mr. Young recused himself from this item.]

This application for a new single-family residence was tabled at the October 22, 2007 meeting with the Board's request that the applicant take additional photographs of the property replicating the location of the new construction and its affect on the view from the uphill adjacent property at 3748 Sachem. The owners and their architect were present to present the requested material and asked that this be heard as a by-leave. On the motion of Ms. Spraul-Schmidt (second by Fisher), the Board unanimously agreed to reopen consideration of the proposed project. At Mr. Senhauser's request, Mr. Forwood read the text of the staff recommendation tabled at the previous meeting, including the amendment to require a geotechnical report acceptable to MSD as a condition of final approval.

The owner, Remco deJong, distributed photographs he had taken the previous week showing the location of the proposed house. He explained that he had staked the front corner of the house at both its foundation (at 29 feet) and at the second floor overhang (at 24 feet) and photographed the view down Sachem Avenue from the front porch of the Markwald's house at 3748 Sachem.

Attorney Tom Tepe, representing the Markwalds, argued that Mr. DeJong's photographs confirm the negative affect that the new house will have on his clients' view. He introduced a second study – Viewshed Impact Analysis Study prepared by Menelaos Triantafillou & Associates and dated November 5, 2007 – that graphically represented the proposed house from multiple points on 3748 Sachem Avenue. Mr. Triantafillou presented the document that showed the affect on views from the Markwald's front porch, the dining room (at mid-point in the house) and the upstairs master bedroom. Mock-ups compared views of the single-family house as proposed and with deeper setbacks within the hillside envelope. He concluded that the new house could be moved back 9½ feet so that a front yard variance was not required without substantially modifying the design or the addition of retaining walls.

Mr. Tepe argued that the applicant had not demonstrated a hardship to justify the front yard variance and that the difference in setbacks was substantial to his clients. He repeated that the

Zoning Code had been rewritten since 2003 when the Board granted the previous owner a variance to build with a 24-foot setback and that this was a different code and circumstance.

Mr. Senhauser pointed out that the only reference to views in the Hillside Chapter of the Zoning Code under §1433-23(f) calls for views from “public viewing places” to be respected; views from private property are not addressed. He recalled that under the old Zoning Code, the hillside regulations required only that views be considered, not preserved. Mr. Tepe responded that views were implicitly protected under the new Zoning Code by the building envelope calculation. He added that the condition requiring the variance was created by the applicant. Ms. Fisher noted that the building envelope was established by the siting of the new downhill houses that were dictated by lot easements, not historical patterns.

Project architect Luke Robinson repeated his assertion that the deep setback of the two downhill houses was an anomaly in the historic district and that the deJong residence better reflects historic building patterns. He said that he had designed the house to conform to the historic district guidelines, which take precedence over the hillside guidelines; if anything the building should actually be sited closer to the street. Mr. Robinson acknowledged that the new house will impact views from the Markwald’s property, but the compelling reason for the front setback variance is to allow the project to conform to the historic district guidelines. Mr. Senhauser observed that the underlying SF-2 zoning district requires a front yard setback of only 5 feet.

Mr. Raser said that the CAGIS map of the area shows a different building pattern on the north and south sides of Sachem Avenue. Those houses on the south side are more uniformly sited and closer to the street than those on the north which are more random with deeper front yards and irregular distances between houses. He said he found the Triantafyllou report to be compelling. Ms. Wallace said that the view from the front porch is the most important, not that from the dining room window.

Mr. Raser repeated that the house could easily be moved back on the site. Mr. Robinson responded that this would complicate the drainage issue and that the relationship between the little sister and the adjacent Stamp property would be destroyed. In answer to Ms. Fisher, Ms. Cowden confirmed that if the entire house were moved back ten feet, a rear yard variance would be required.

### **BOARD ACTION**

The Board voted (motion by Spraul-Schmidt, second by Fischer, nay Raser) to take the following actions:

1. Approve a Certificate of Appropriateness for the proposed single-family residence at 3742 Sachem Avenue finding that the work meets the Columbia Tusculum Historic District Conservation Guidelines on the condition that final plans and specifications be submitted to the Urban Conservator for review and approval prior to construction with the following conditions:
  - a. A stormwater management plan shall be submitted for the site.
  - b. The Metropolitan Sewer District shall review and accept the stormwater management plan prior to the issuance of a Certificate of Appropriateness or building permit for the proposal.
2. Approve the necessary Zoning Variances to permit the proposed single-family residence to exceed the maximum building envelope and to have a front yard setback of 24'-0", and east side yard setback of 5'-0" and a west side yard setback of 13.84' finding that such relief from the literal interpretation of the Cincinnati Zoning Code will not be materially detrimental to the

public health, safety and welfare or injurious to property in the district or vicinity where the property is located and is necessary and appropriate in the interest historic conservation as not to adversely affect the historic architectural or aesthetic integrity of the district.

Mr. Tepe asked that the Board stay implementation of its decision until after the Zoning Board of Appeals has had an opportunity to rule on an appeal, if the Markwalds decide to challenge the decision. Mr. Senhauser said that the B&I could decide to withhold permits if a valid appeal to the Zoning Board of Appeals had been filed, but that the Board had exercised its responsibility in hearing the application and in reaching a decision.

**ADJOURN**

As there were no other items to be considered by the Board, the meeting was adjourned (motion by Wallace, second by Spraul-Schmidt).

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William L. Forwood  
Urban Conservator

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John C. Senhauser, Chairman

Date: \_\_\_\_\_